

APPLICANT(S): ID DAN, Gavriel J.
SERIAL NO.: 10/722,410
FILED: November 28, 2003
Page 5

REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-30 are pending in the application.

Claims 1-30 have been rejected.

Claims 6-8, 10, 18, 19 and 24 have been amended.

Claims 1-5, 14-17 and 27-30 have been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicant reserves all rights in these claims to file divisional and/or continuation patent applications.

Applicant respectfully asserts that the amendments to the claims add no new matter.

Remarks to the Abstract

In the Office Action, the Examiner objected to the Abstract because it includes more than one paragraph. The Abstract has been amended to include only one paragraph. The amendments to the Abstract add no new matter.

APPLICANT(S): ID DAN, Gavriel J.
SERIAL NO.: 10/722,410
FILED: November 28, 2003
Page 6

CLAIM REJECTIONS

35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 1-6, 10-12, 16, 17, 19, 21-24, 27 and 28 under 35 U.S.C. § 102(e), as being anticipated by Balch (US 2004/0023249 A1). Applicant respectfully traverses this rejection in view of the remarks that follow.

Claims 1-5, 16, 17, 27 and 28 have been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicant reserves all rights in these claims to file divisional and/or continuation patent applications.

With respect to amended independent claim 19, Balch does not teach or suggest and the Examiner does not suggest that Balch teaches or suggests “a fiber plate cover disposed on sensor elements of said imager, said fiber plate cover to transfer to said sensor elements an image of an object in contact with said fiber plate cover while said in vivo device passes through a body lumen, said fiber plate cover configured to be contiguous with an outer wall surrounding said in vivo device” as recited in amended independent claim 19. For a reference to anticipate a claim, the reference must teach all elements of the claim. Therefore, Balch cannot anticipate claim 19, as amended. Accordingly, Applicant respectfully asserts that amended independent claim 19 is allowable.

Each of claims 6-13, 18 and 20-23 depends from, directly or indirectly, claim 19, and therefore includes all the limitations of this claim. Therefore, Applicant respectfully asserts that claims 6-13, 18 and 20-23 are likewise allowable. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection to amended independent claim 19 and to claims 6-13, 18 and 20-23 dependent thereon under 35 U.S.C. § 102(e) based on Balch.

With respect to amended independent claim 24, Balch does not teach or suggest and the Examiner does not suggest that Balch teaches or suggests “passing an in vivo device through a body lumen, said in vivo device comprising an imager with a fiber plate cover disposed on sensor elements of said imager; and capturing with said imager an image of a sample in contact with said fiber plate cover on said imager while said in vivo device passes through said body lumen” as recited in amended independent claim 24. For a reference to

APPLICANT(S): ID DAN, Gavriel J.
SERIAL NO.: 10/722,410
FILED: November 28, 2003
Page 7

anticipate a claim, the reference must teach all elements of the claim. Therefore, Balch cannot anticipate claim 24, as amended.

Accordingly, Applicant respectfully asserts that amended independent claim 24 is allowable. Claims 25 and 26 depend from, directly or indirectly, claim 24, and therefore include all the limitations of this claim. Therefore, Applicant respectfully asserts that claims 25 and 26 are likewise allowable. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection to amended independent claim 24 and to claims 25 and 26 dependent thereon under 35 U.S.C. § 102(e) based on Balch.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 7-9, 13-15, 18, 20, 25, 26, 29 and 30 under 35 U.S.C. § 103(a), as being unpatentable over Balch (US 2004/0023249 A1).

Applicant respectfully traverses the rejection of claims 7-9, 13-15, 18, 20, 25, 26, 29 and 30 under 35 U.S.C. § 103(a) based on Balch.

Claims 14, 15, 29 and 30 have been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicant reserves all rights in these claims to file divisional and/or continuation patent applications.

Claims 7-9, 13, 18, 20, 25 and 26 depend from, directly or indirectly, claims 19 and 24 respectively and therefore include all the limitations of those claims. As discussed, claims 19 and 24 are allowable over Balch. Therefore, Applicant respectfully asserts that claims 7-9, 13, 18, 20, 25 and 26 are likewise allowable. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection to claims 7-9, 13, 18, 20, 25 and 26 under 35 U.S.C. § 103(a) based on Balch.

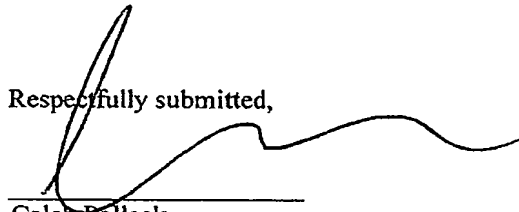
In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

APPLICANT(S): IDDAN, Gavriel J.
SERIAL NO.: 10/722,410
FILED: November 28, 2003
Page 8

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



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